

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 14-47971

FATME ALLAHAM,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**ORDER DISAPPROVING REAFFIRMATION AGREEMENT BETWEEN DEBTOR AND
CITIZENS BANK, N.A. (DOCKET # 18)**

This case before the Court on the Reaffirmation Agreement between the Debtor and Citizens Bank, N.A., filed on August 15, 2014 (Docket # 18, the “Reaffirmation Agreement”).¹ The Court concludes that the Reaffirmation Agreement is not enforceable, and therefore must be disapproved.

Under 11 U.S.C. § 524(c)(1), a reaffirmation agreement is not enforceable unless it “was made before the granting of the discharge under section 727.” *See also In re Herrera*, 380 B.R. 446, 449-55 (Bankr. W.D. Texas 2007) and cases cited therein. Citizens Bank, N.A. did not sign the Reaffirmation Agreement until August 14, 2014, after the Debtor’s discharge order was entered on August 13, 2014 (Docket # 15). This is indicated in Part III of the Reaffirmation Agreement. Therefore, this reaffirmation agreement between Debtor and Citizens Bank, N.A. was not made before Debtor was granted a discharge. As a result, the reaffirmation agreement is not enforceable.

For this reason,

IT IS ORDERED that the Reaffirmation Agreement (Docket # 18), is disapproved as unenforceable under 11 U.S.C. § 524(c)(1).

Signed on August 21, 2014

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge

¹ The deadline to file a reaffirmation agreement is established by Fed.R.Bankr.P. 4008(a) — the deadline is “no later than 60 days after the date first set for the meeting of creditors under § 341(a) of the Code.” In this case, the deadline was August 11, 2014. (The date set for the first meeting of creditors in this case was June 11, 2014. Sixty days after that was Sunday, August 10, 2014. The next business day was Monday, August 11, 2014. *See* Fed.R.Bankr.P. 9006(a)(1)(C).) Therefore, the Reaffirmation Agreement was filed after the deadline.